

Congress of the United States
Washington, D.C. 20515

January 10, 2022

The Honorable Marty Walsh
Secretary
U.S. Department of Labor
200 Constitution Ave NW
Washington, D.C. 20210

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, D.C. 20590

Dear Secretary Walsh and Secretary Buttigieg:

We write to you today to urge you to protect low-income communities and workers from shouldering the burden of national supply chain disruptions. As you know, the Biden Administration announced this fall that the Port of Long Beach and Port of Los Angeles will be operating 24/7, where 40 percent of the country's imports pass through. We request additional information about the preparation that led to this decision and the planning in place to mitigate negative impacts to low-income communities and warehouse workers in the Inland Empire, where much of this cargo will be going.

We recognize the supply chain challenges presented by the COVID-19 pandemic and the effect they have on our economy. As you know, President Biden mentioned that the International Longshore and Warehouse Union has announced its members are willing to work extra shifts in support of round the clock operations at the Ports of L.A. and Long Beach. We are glad the Administration is working with unions during a time when so many workers are being pushed to work increased hours.

However, most goods moved through the ports are funneled to warehouses in the Inland Empire, and we are concerned about the impact on those workers. Without careful planning, the decision to create a 24/7 work schedule at the ports may have unintended consequences at warehouses including dangerous conditions for local workers, many of whom are not unionized. In 2020, the logistics industry employed 230,008 warehouse workers, 15.3 percent of total employment in the Inland Empire. Many of those workers are non-union, meaning they do not have the same fair working conditions that union workers do. Additionally, many of these workers are hired as 'temporary' workers, sometimes for years on end. For example, 40 percent of temporary warehouse workers are immigrants, over 70 percent are Latino, and about 70 percent are under the age of 40. Many of these individuals are from low-income communities of color and we do not want them overlooked.

There also remain ongoing safety concerns at Southern California warehouses. Recently, the Los Angeles Times released a report about dangerously hot conditions for workers in Southern California warehouses. This is one of many situations where the “fair working conditions” of warehouse workers has been overlooked¹.

As President Biden affirmed in January, “Ensuring the health and safety of workers is a national priority and a moral imperative” (Executive Order on Protecting Worker Health and Safety). We believe the Administration plays a critical role in protecting local communities and workers as it works to address supply chain issues.

That is why we request responses to the following questions:

- What is the Department of Labor doing to ensure temporary warehouse workers, especially those without a union, have safe working conditions? How is the Department working with the California Division of Occupational Safety and Health to accomplish these goals?
- Does the Department of Labor track complaints by geographic area or by industry made to the Wage and Hour Division? Have you seen an increase in complaints since the announced changes at the ports?
- What enforcement mechanisms does the Department of Labor use to ensure that warehouse workers are given necessities while on the job (ex: bathroom access, correct working temperature, etc.), and that safety measures are not being overlooked?
- When a state has a State OSHA Plan, what mechanisms does the Department use to ensure compliance with the state plan?
- Has OSHA used its concurrent authorities to ensure the safety of workers in California since the start of the pandemic?
- How is the Administration working to address the racial inequalities in the logistics industry? For example, 86 percent of logistics workers in Riverside and San Bernardino counties earn less than the basic living wage, where a majority of workers were either Black or Latino.
- How has the Department of Transportation worked to keep the Department of Labor involved in supply chain issues to ensure that workers are not being overburdened?
- Did the Department of Transportation consult with the Department of Labor on the best ways to ensure supply chain workers, specifically warehouse workers, are a priority? If so, how?

¹¹ <https://www.latimes.com/environment/story/2021-10-12/heat-risk-rite-aid-workers-southern-california-warehouse>

We recognize the effort by the Biden Administration to address the supply chain challenges presented by the COVID-19 pandemic, and we urge the Administration to do everything in its power to protect temporary warehouse workers who will be taking on long burdensome shifts during this time. We thank you for your willingness to take the lead in guaranteeing that there are measures in place to prevent these expanded operations from harming residents and low-income communities.

Sincerely,

A handwritten signature in blue ink that reads "Norma J. Torres".

Norma J. Torres
Member of Congress

A handwritten signature in blue ink that reads "Rosa DeLauro".

Rosa DeLauro
Member of Congress

A handwritten signature in blue ink that reads "David Price".

David Price
Member of Congress

A handwritten signature in blue ink that reads "Pete Aguilar".

Pete Aguilar
Member of Congress

A handwritten signature in blue ink that reads "Mikie Sherrill".

Mikie Sherrill
Member of Congress